

Amendment No. 1 to SB1546

Bell
Signature of Sponsor

AMEND Senate Bill No. 1546*

House Bill No. 1459

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by adding the following as a new subsection:

(n)

(1) Following the arrest of a person for the offense of aggravated assault, under § 39-13-102(a)(1)(i), (a)(1)(iii), or (a)(1)(iv), in which the alleged victim of the offense is a domestic abuse victim as defined in § 36-3-601, the court or magistrate shall make a finding whether there is probable cause to believe the respondent:

(A) Caused serious bodily injury, as defined in § 39-11-106, to the alleged domestic abuse victim;

(B) Strangled or attempted to strangle the alleged domestic abuse victim; or

(C) Used or displayed a deadly weapon, as defined in § 39-11-106.

(2) If the court or magistrate finds probable cause to believe that one (1) or more of the circumstances in subdivision (n)(1) did occur, unless the court or magistrate finds the offender no longer poses a threat to the alleged victim or public safety:

(A) The court or magistrate may, in addition to the twelve-hour hold period and victim notification requirements in subsection (h), extend

the twelve-hour hold period up to twenty-four (24) hours after the time of arrest; and

(B) Prior to the offender's release on bond, the court or magistrate shall issue a no contact order containing all of the bond conditions set out in this section that are applicable to the protection of the domestic abuse victim.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to arrests made on or after that date.